

FLORIDA | Board of Podiatric Medicine

Draft Meeting Minutes

January 11, 2019 – 9:00 a.m.

Hilton Garden Inn Orlando at SeaWorld
6850 Westwood Blvd., Orlando, FL 32821
407-354-1500



Joseph Sindone, D.P.M.
Chair

Joseph Strickland, D.P.M.
Vice-Chair

C. Erica White
Executive Director

Friday, January 11, 2019

TAB 1. Call to Order:

The meeting was called to order by the Chair, Joseph Sindone at 9:00 a.m..

Those present during the meeting included the following:

Board Members:

Joseph Sindone, DPM, Chair (Jacksonville)
Joseph Strickland DPM, Vice-Chair (Pinellas Park)
Mark S. Block, DPM (Boca Raton)
Soorena Sadri, DPM (Estro)
Robert Morris, Ph.D. (Melrose)

Board Counsel:

David Flynn, Assistant Attorney General

Department of Health Counsel:

Judson Searcy, Assistant General Council

Board Staff:

C. Erica White, Executive Director
Eric Pottschmidt, MBA – Program Operations Administrator

TAB 2. REVIEW AND APPROVAL OF MINUTES

Joseph Sindone, DPM – Chair

1. October 26, 2018 Board minutes – Dr. Morris made motion; Dr. Block seconded; motion passed.
2. December 13, 2018 Board Minutes - Dr. Strickland made motion; Dr. Block seconded; motion passed

TAB 3. DISCIPLINE

Joseph Sindone, DPM – Chair

A. Recommended Order

Brian J. Altman, DPM – Case # 2018-00496 – DOH Case #183349PL - Present and sworn-in.

(Timestamp (TS) – 2:00 minutes)

- David Flynn, Assistant Attorney General – opening statements.
- Dr. Altman introduction (TS – 10:45)
- Judson Searcy, Assistant Attorney General - introduction and allegations (TS - 11:10)
- Dr. Altman statement – handing out and reading written statement (TS – 14:30)
- Dr. Brown of PRN is recognized as present. (TS – 18:00)
- Judson Searcy - Motion to adopt administrative law judges finding of facts as the Boards finding of facts - Dr. Strickland made motion; Dr. Morris seconded; Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena Sadri, DPM, and Robert Morris, Ph.D. Dr. Mark S. Block (Recused). Motion passes
- Judson Searcy - Motion to adopt administrative law judges conclusions of law as the Boards conclusions of law - Dr. Strickland made motion; Dr. Morris seconded; Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena

- Sadri, DPM, and Robert Morris, Ph.D. Dr. Mark S. Block (Recused). Motion passes.
- Judson Searcy - Motion to adopt penalties (TS – 19:45) Motioned by Dr. Strickland; Dr. Morris seconded; Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena Sadri, DPM, and Robert Morris, Ph.D. Dr. Mark S. Block (Recused). Motion passes.
- Judson Searcy - Motion to approve costs. (TS – 22:45) Costs are \$20,927.05. Motioned by Dr. Strickland; Dr. Morris seconded; Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena Sadri, DPM, and Robert Morris, Ph.D. Dr. Mark S. Block (Recused). Motion passes.
- Time frame of payment (TS – 24:13). Timeframe – costs due within 5 years once re-instated. Motioned by Dr. Strickland made motion; Dr. Morris seconded; Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena Sadri, DPM, and Robert Morris, Ph.D. Dr. Mark S. Block (Recused). Motion passes.

B. Voluntary Relinquishment

- **Michael H. Rostein, DPM – Case # 2018-18718 - Present and sworn-in. (Timestamp (TS) – 29:40 minutes) Dr. Block is recused.**
- Judson Searcy – opening statements and presented case to the Board.
- Motion to relinquish licensure of Michael H. Rostein, DPM. Motioned by Dr. Strickland; Dr. Morris seconded. Motion passed.

TAB 4 PETITION FOR VARIANCE OR WAIVER

David Flynn, Assistant Attorney General

Michael J. King - #4027 - Present and sworn-in. (Timestamp (TS) – 33:20 minutes)

- David Flynn, Assistant Attorney General – opening statements.
- Referencing 64B18-11.00.01 subsection 2 -Requesting to waive and take and pass part 3 of the National Podiatric Medical Examiners Examination
- Dr. King speaks
- Dr. Block, Dr. Strickland, and Dr. Sadri vouch for credentials of Dr. King.
- Motion to approve variance. Motioned by Dr. Strickland; Dr. Block seconded;
- Executive Director took roll-call vote; yes votes from Joseph Sindone, Joseph Strickland, Soorena Sadri, DPM, Robert Morris, Ph.D. and Dr. Mark S. Block. Motion passes.

TAB 5 APPLICATIONS REQUIRING BOARD REVIEW

Erica White, Executive Director

Dr. Sheldon Siegel – File #4029 Present and sworn-in. (TS 47:00 minutes)

- Need updated address through the Board – 30 days to inform us.
- Executive Director with opening statement and details.
- Dr. Sheldon Siegel speaks to his discipline case.
- Motion to approve licensure by Dr. Strickland; Seconded by Dr. Block. Motion passes.

TAB 6: REQUESTS FOR APPROVAL OF AHCA EXEMPTION

Erica White, Executive Director

Dr. Alexander Rios – File #1878 Present and sworn in – (TS 54:20 minutes)

- Dr. Block makes statements towards understanding of this case.
- Motion made by Dr. Mark Block to grant exemption from disqualification from employment with AHCA. Dr. Strickland seconds the motion; motion passes.

TAB 7: RATIFICATIONS (TS – 57:30 Minutes)

Joseph Sindone, DPM – Chair

- Podiatric Physicians – 39 total. 4008 through 4046 – Motion made by Dr. Strickland, Dr. Sadri seconded; motion passes.
- Podiatric Resident Programs – 3 total – Motion made by Dr. Sadri, Dr. Strickland seconded; motion passes.
- Certified Podiatric X-Ray Assistants – 40 – 2144 through 2183. Motion made by Dr. Block; Dr. Sadri seconded; motion passes.
- Podiatric Resident Registration – 44 – 542 through 585. – Motion made by Dr. Strickland, Dr. Block seconds. Motion passes.

TAB 8 REPORTS (TS – 1:01:00 Minutes)

Joseph Sindone, DPM – Chair

1. Chairs Report – Joseph Sindone, DPM
 - Discussed losing Executive Director, C. Erica White, MBA, JD., and David Flynn Assistant Attorney General
 - Nominations for 2019 Officer Elections
 - Motion by Dr. Sadri nominating Dr. Sindone for Chair. Dr. Block seconds the nomination; motion passes unanimously.
 - Motion by Dr. Sadri nominating Dr. Strickland for Vice-Chair. Dr. Sindone seconds the motion; motions pass unanimously.
 - Appointment of Committee Chair's
 - Probable Cause Panel – Mark Block, DPM
 - Budget – Robert Morris, Ph.D
 - Credentials - Soorena Sadri, DPM
 - Disciplinary Compliance – Dr. Strickland, DPM
 - Examination – Dr. Sindone, DPM
 - Healthy Weight – Dr. Sadri, DPM
 - Legislative – Dr. Strickland, DPM
 - Probable Cause – Dr. Block, DPM
 - Residency Program – Dr. Sindone, DPM
 - Rules – Dr. Sadri, DPM
 - Unlicensed Activity – Robert Morris, Ph.D.
2. Vice-Chair's Report – Joseph Strickland, DPM – Nothing to report.
3. Executive Director's Report – C. Erica White, MBA, JD
 - Board Staff Updates – C. Erica White leaving.
 - 2019 April Meeting Schedule – April 26, 2019 at 8:00 a.m. is telephonic.
 - July and October meetings will be in person.
 - For 2020 meeting dates, work to meet at 2020 Sam Conference location.
 - July 19th deadline to get hotel name to send to our travel department.

- PCP meetings – Planning department requested 2020 dates by the beginning part of May
 - Give meeting planning department location and dates to start working on solidifying location.
4. Prosecuting Attorney’s Report – Judson Searcy, Assistant Attorney General
 - Total cases in inventory - 6 two of them are 1 year and older, one of which hope to have resolved by next PCP. Other needs to be prosecuted.
 - Motion to allow PSU to continue prosecute year and older cases. Motioned by Dr. Joseph Strickland; seconded by Dr. Mark Block. Motion passes.
 - Due to cases maybe not being ready to review by next Board meeting, next meeting could be telephonic. April 26th, 2019 at 8:00 a.m.
 5. Attorney General’s Report – David Flynn, Assistant Attorney General
 - Rules Report for December 2018
 - Implementation of HB21 is complete.
 - Current with all rules updates – Rules Report is empty.
 - Erica White – application for Certified Xray Technician, does not include information about finger prints and the privacy statement (Background checks). Keep issue open to make the necessary changes to the application.
 - Motion to keep the application open by Dr. Sindone; seconded by Dr. Block. Motion passes.
 - Announced new Board council coming in.
 6. Continuing Education – Dr. Sindone, DPM – nothing to report.
 7. Probable Cause Panel – Mark Block, DPM – nothing to report.
 8. Multi-Board Workgroup – Soorena Sadri, DPM – nothing to report.
 9. Budget – Robert Morris, Ph.D. – nothing to report.
 - Would like a report that list income by Podiatric licensure, x-ray, and other areas of income, and balance at end of the quarter.
 10. Credentials – nothing to report.
 11. Disciplinary Compliance - Joseph Strickland, DPM – nothing to report.
 12. Examination –
 - Phone survey conducted.
 - Waivers for part 3. Only by Rules we need to have part 3. Possibly look at credentials of person taking exam.
 - Put on next agenda for discussion.
 13. Healthy Weight - nothing to report.
 14. Legislative - nothing to report.
 15. Residency Program
 - Discuss what if CPME approves past July 1 cutoff registration date. Formulate policy for staff. Reach out to Dr. Sindone. **Put on next agenda.**
 - Need policy for program that does not submitted by cut-off date.
 16. Rules - nothing to report.
 17. Unlicensed Activity – Robert Morris, Ph.D. - nothing to report.

TAB 9. OLD / NEW BUSINESS (TS – 1:20:00 minutes)

Residency Programs that have expired. Need to notify programs we are expiring them. Prepare documents for next Board meeting to submit to programs so that they are aware.

TAB 10. NEXT MEETING DATE – April 26, 2019, 8:00 a.m. teleconference call.

TAB 9. Public Comment (TS - 1:21:00 Minutes)

Joseph Sindone, DPM – Chair

- **Mr. Jason Winn in audience.** Only comment. SAM 2020 dates – Jan15 thru 19 2021, and January 13-17, 2021. Board meeting to be held on Friday of these dates.
- **Dr. Sindone Inquiry – (TS - 1:22 Minutes)** Can 13 Board CE credits be applied to CE requirements for Rules and Laws, Medical Errors, and Risk Management?
 - David Flynn – Medical Errors by statutory Law, have to take specific course.
 - Jason Winn – currently in the rule (64B18-17001.2G states that 13 CE’s “MAY” be used for these 3 categories.
 - Board members need to specify where to upload CE credits and how many hours via email to Eric Pottschmidt. He will upload all 13 CE’s to this specified structure.
 - Write steps in email to board members as follows:
 - 13 CE’s will be assigned as follows:
 - 1 Credit Rules and Laws
 - 1 Credit Risk Management
 - 2 Credits Medical Errors
 - 9 Credits General
 - Assign as needed during tenure on the Board.
 - Respond back to Board staff with approval.
 - Motion made by Dr. Strickland to direct Board staff to send email to Board members designating how they want 13 CE’s to be credited; seconded by Dr. Block. Motion unanimously passes.
- **Dr. Strickland - Board Reimbursements** – Update all Board members in system – Dr. Sindone doesn’t want \$50 reimbursement. All other members do.

TAB 10. Adjournment

Motion to adjourn made by Dr. Sindone; seconded by Dr. Strckland. Meeting adjourned at 10:35 a.m.